

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**NO. 5:21-CR-00114-BO-2**

**UNITED STATES OF AMERICA** :

:

**v.**

:

:

**LESLI RECKERT KENNEDY** :

---

**FINAL ORDER OF FORFEITURE OF REAL PROPERTY KNOWN AS  
27558 REDWOOD HIGHWAY, CAVE JUNCTION, OREGON, 97523**

---

WHEREAS, on August 26, 2022, this Court entered a Consent Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853(a), based on the evidence presented by the government therein, and ordering the forfeiture of the below-listed real property, to wit:

Real Property:

- a) Real property having the physical address of 27558 Redwood Highway, Cave Junction, Oregon, 97523, including any and all appurtenances and improvement thereto, being titled to OFF, LLC and legally described in document 2020-003346 of the Josephine County Official Records, Oregon, more particularly described as:

The following real property situated in Josephine County, Oregon, to-wit:

PARCEL 1 OF PARTITION PLAT NO. 1999-85,  
LOCATED IN THE NORTHWEST QUARTER OF  
SECTION 28, TOWNSHIP 39 SOUTH, RANGE 8 WEST  
OF THE WILLAMETTE MERIDIAN, JOSEPHINE  
COUNTY, OREGON.

Tax ID R330741

(hereinafter, “27558 Redwood Highway” or the “subject real property”);

AND WHEREAS, in accordance with Fed. R. Crim. P. 32.2(b)(4)(A), the Consent Preliminary Order of Forfeiture became final as to the defendant at sentencing; the defendant was sentenced and judgment was entered on February 22, 2023 [DE-200]; and the judgment incorporated the Consent Preliminary Order of Forfeiture by reference;

AND WHEREAS, the United States published notice of the forfeiture order and, specifically, the forfeiture of the real property, on an official government internet website ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least thirty (30) consecutive days, beginning on August 30, 2022, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty of Maritime Claims and Asset Forfeiture Actions, and said published notice advised all third parties of their right to petition the court within thirty (30) days of the final publication of notice for a hearing to adjudicate the validity of their alleged legal interest in the forfeited property;

AND WHEREAS, service upon the subject real property was executed by posting of the Consent Preliminary Order of Forfeiture on the property by an agent of the Customs and Border Protection on March 2, 2023;

AND WHEREAS, the United States sent direct written notice of the Preliminary Order of Forfeiture in accordance with 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6) to all persons who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the subject real property in a forfeiture ancillary proceeding, to wit:

a. Josephine County Tax Office

- b. Oregonized Family Farms LLC
- c. Matthew David James

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed as to the subject real property within the time prescribed by law, other than those specifically mentioned herein;

It is HEREBY ORDERED, ADJUDGED, and DECREED:

1. Pursuant to Fed. R. Crim. P. 32.2(6)(c)(2) and 21 U.S.C. § 853(n)(7), that portion of the Consent Preliminary Order of Forfeiture entered on August 26, 2022 [DE-162], ordering the forfeiture of 27558 Redwood Highway pursuant to 21 U.S.C. § 853(a), is now final, subject to the following terms, conditions and/or amendments.

2. Pursuant to 21 U.S.C. § 853(c) and/or 18 U.S.C. § 981(f), and except as expressly provided herein, all right, title, and interest in 27558 Redwood Highway is hereby forfeited to the United States and shall be deemed to have vested in the United States as of the date of the commission of the offense committed by the defendant rendering the property subject to forfeiture.

3. The United States is directed to dispose of the subject real property according to law.

4. Any and all liens of record with respect to the subject real property which are not specifically recognized herein are hereby extinguished.

5. Except as expressly recognized herein, the forfeiture of the subject real property is free and clear of all interests and no other person or entity shall have any right, title, or interest in the subject real property. In accordance with 21 U.S.C. § 853(n)(7), the United States, having clear title to the subject real property, may



warrant good title to any purchaser or transferee, subject to the terms of this Order.

6. Upon the transfer or closing of any sale of the subject real property, the United States shall pay from the subject real property's "Net Sale Proceeds," as that term is defined below, the amounts set forth below.

7. The "Net Sale Proceeds" of the subject real property shall be calculated as the gross sales proceeds that the United States realizes from the sale of the property, less the following amounts that the United States pays, in the following priority, to the extent that sufficient gross sales proceeds are available to pay these amounts:


a) First, to U.S. Customs and Border Protection (CBP) for the payment of any and all costs and expenses incurred by CBP in connection with the seizure, maintenance, forfeiture, marketing and any and all costs of sale, including real estate commissions, escrow fees, document recording fees not paid by the buyer, title fees, insurance costs, if any, and transfer taxes;

b) Second, to the Josephine County Tax Office, for all unpaid real property taxes due and owing up to the date of the entry of this Final Order of Forfeiture; provided, however, that the United States shall not be liable for the payment of state or local property taxes from the date of the entry of this Final Order of Forfeiture;

c) Third, any remaining balance shall be forfeited to the United States and shall be disposed of according to law.

8. The Clerk is hereby directed to send a certified copy of this Final Order of Forfeiture to the United States Attorney's Office for recording in the land records of the jurisdiction where the subject real property is situated.

SO ORDERED this 10 day of April, 2023.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE